IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL (L) NO.345 OF 2005

IN

NOTICE OF MOTION NO.480 OF 2005

IN

SUIT NO.3658 OF 2004

Laxman Abaji Surve. .. .. Appellant
v/s.
Fateh R. Mitha & ors. .. .. Respondents

Mr.Rajesh Shah with Mr.P.R.Kadam i/by
Mr.M.M.Vaidya for appellant.

Mr.Mohan Bir Singh for res.Nos.1 & 2.

Mr.H.J.Thakkar with Mr.M.N.Bhadrashetty i/by
Mr.V.M.Joshi for res.No.3.

CORAM : H.L. GOKHALE &
S.C.DHARMADHKARI, JJ.

DATE : 5th May 2005

P.C. :

1. Heard the learned Counsel for the parties.

2. Mr.Shah appearing for the appellant states that the appellant will hand over a formal possession of the land to respondent No.3-Bank by executing necessary documents within 48 hours from today. He further states that the appellant may

move the Debts Recovery Tribunal for appropriate orders. He does not press this appeal any more.

3. We make it clear that the appellant is expected to move the Debts Recovery Tribunal, if he wants to move as stated by him within two weeks from today and obtain necessary orders. Appeal is disposed of.

4. Whatever contentions the appellant wants to raise will be available to him in Debts Recovery Tribunal.

(H.L. GOKHALE, J.)

(S.C. DHARMADHIKARI, J.)